

IN THE DRAWINGS

Figure 14A is being amended to correct a typographical error regarding reference numerals "S1" and "S2". The drawing is amended to respectively interchange these numerals. In other words, "S1" is replaced with "S2", and "S2" is replaced with "S1".

REMARKS

Claims 1-39 are pending in the application.

Claims 26-39 stand withdrawn as non-elected and are hereby cancelled without prejudice for presentation in a divisional application.

Claims 1-25 are rejected.

The specification is objected to by the Examiner.

The drawings filed on February 5, 2004 are objected to by the Examiner under 37 CFR 1.83(a).

Claims 1 and 12 are rejected under 35 U.S.C. 112.

Claims 40 and 41 are new. No new matter is added.

Claims 1, 4-6, 11-14, 16, 18-20 and 25 have been amended to correct formatting or idiomatic errors. No substantive amendments relating to the patentability of the invention were made.

Claims 1-25 and 40-41 remain in the case for consideration.

Applicant requests reconsideration and allowance of the claims in light of the above amendments and following remarks.

Allowable Subject Matter

Claims 1-25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action.

Objection to the Drawings

In view of the drawing corrections described above, applicant disagrees with the Examiner's reason for the drawing objection.

Figure 14A has been amended to correct a typographical error regarding reference numerals "S1" and "S2". The drawing is amended to respectively interchange these numerals. In other words, "S1" is replaced with "S2", and "S2" is replaced with "S1".

The limitation of selectively removing the device isolation layer exposed by the first space as recited in claim 1c and claim 12e is shown in the drawings. In particular, FIG. 9B shows portions of the device isolation layer 39b that are exposed by the first space SO. FIG. 9B is a cross-sectional view along the line II-II' in FIG. 1. This view enables one to see that the device isolation layer 39b is exposed by the first space SO, especially when referring to FIG. 9A, which shows the first space SO in a cross-sectional view along the line I-I' in FIG.

1. In other words, FIG. 9B is a cross-section that is in a direction that is in and out of the page of FIG. 9A (perpendicular). Portions of the device isolation layer 39b are not visible in FIG. 9A because these portions are above and below the plane of the page showing FIG. 9A. In other words, the cross-sectional view of FIG. 9A is in a plane that is BETWEEN (and perpendicular to) portions of device isolation layers 39b, shown in FIG. 9B.

Thus, one skilled in the art will appreciate that the figures, particularly FIGS. 9A, 9B, and 10A, 10B, show selectively removing the device isolation layer 39b exposed by the first space, as recited in the claims.

Claim Objections

Claims 1 and 12 are objected.

Claims 1 and 12 are amended to recite, "removing said spacers to expose the sidewalls of the second space and the second gate pattern and leaving a recessed spacer layer pattern in the first space," "removing the spacers to expose the sidewalls of the second spaces and the sidewall of the peripheral circuit gate electrode and to concurrently leave recessed spacer layer patterns in the first spaces," respectively. Thus, the claim objections are now overcome.

Claim Rejections - 35 USC § 112

Claims 1 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which applicant regards as the invention.

Claims 2-11 and 13-25 are also rejected as being dependent on rejected independent claims.

For the reasons discussed above regarding the drawing objections, of which the present rejection is based, applicants respectfully traverse this rejection. Withdrawal of this rejections, and allowance of the claims, is requested.

New Claims 40 and 41

[Please insert text here.]

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-25 and 40-41 of the application as amended is solicited. The applicants request consideration of new claims 40-41. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

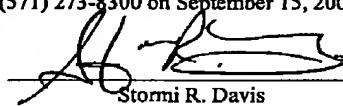
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METHOD OF MANUFACTURING A SEMICONDUCTOR INTEGRATED CIRCUIT USING A SELECTIVE DISPOSABLE SPACER
TECHNIQUE AND SEMICONDUCTOR INTEGRATED CIRCUIT MANUFACTURED THEREBY

Attorney Docket No. 8750-057/Application No. 10/773,805

Annotated Sheet Showing Changes

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FIG. 14A

